

RECEIVED  
IN LAKE CHARLES, LA

MAR 24 2006

ROBERT M. SHEMWELL, CLERK  
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

SIDNEY MARTS

CIVIL ACTION NO. 05-1599-LC

VS.

SECTION P

JAMES LeBLANC, WARDEN

JUDGE MINALDI

MAGISTRATE JUDGE WILSON

**J U D G M E N T**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

**IT IS ORDERED** that this petition for *habeas corpus* be **DISMISSED WITHOUT PREJUDICE** for failing to exhaust available state remedies.

**THUS DONE AND SIGNED**, in chambers, in Lake Charles, Louisiana, on this

23 day of March, 2006.

  
**PATRICIA MINALDI**

**UNITED STATES DISTRICT JUDGE**